

PATENT
Docket No. 342312004300

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Mei Y. Leung

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Marco CAVALERI et al.

Serial No.: 10/714,261

Filing Date: November 14, 2003

For: METHODS OF ADMINISTERING
DALBAVANCIN FOR TREATMENT
OF BACTERIAL INFECTIONS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references numbered 1 through 23 are not submitted. Copies of foreign patent documents and non-patent literature are submitted herewith in accordance with 37 C.F.R. § 1.98 (a)(2). The Examiner is requested to make these documents of record.

Applicants would like to draw the Examiner's attention to the co-pending applications (copies attached) listed below:

Application Serial No.: 10/714,166, by L. Colombo et al., filed November 14, 2003, and

Application Serial No.: 10/713,924, by M. Cavaleri et al., filed November 14, 2003.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

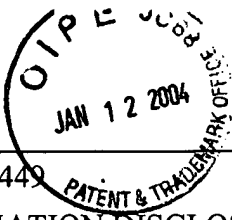
In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 342312004300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 7, 2004

Respectfully submitted,

By: Jill A. Jacobson
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Form PTO-1449

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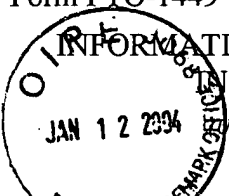
U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/25/1980	4,195,079	Celmer et al.			
	2.	12/16/1980	4,239,751	Coronelli et al.			
	3.	09/17/1985	4,542,018	Borghi et al.			
	4.	04/28/1987	4,661,470	Malabarba et al.			
	5.	11/01/1988	4,782,042	Selva et al.			
	6.	09/19/1989	4,868,171	Selva et al.			
	7.	11/21/1989	4,882,313	Sitrin			
	8.	04/03/1990	4,914,187	Malabarba et al.			
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FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	24.	02/16/1983	EP 0 071 970	Europe				
	25.	11/30/1983	EP 0 095 154	Europe				
	26.	04/16/1986	EP 0 177 882	Europe				
	27.	12/10/1986	EP 0 204 179	Europe				
	28.	07/08/1987	EP 0 228 015	Europe				
	29.	10/14/1987	EP 0 240 609	Europe				
	30.	03/16/1988	EP 0 259 781	Europe				
	31.	02/01/1989	EP 0 301 785	Europe				
	32.	05/24/1989	EP 0 316 712	Europe				
	33.	07/04/1990	EP 0 376 041	Europe				
	34.	02/03/1993	EP 0 525 499	Europe				
	35.	10/15/1997	EP 0 801 075	Europe				
	36.	07/28/1999	EP 0 931 834	Europe				
	37.	12/21/1983	GB 2 121 401	Great Britain				
	38.	02/15/1984	GB 2 142 234	Great Britain				
	39.	02/01/1989	JP 1050900	Japan			Abstract	
	40.	04/21/1988	WO 88/02755	WIPO				
	41.	10/04/1990	WO 90/11300	WIPO				

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	42.	Abramson, M.A. and Sexton, D.J. (1999). "Nosocomial Methicillin-Resistant and Methicillin-Susceptible <i>Staphylococcus Aureus</i> Primary Bacteremia: At What Costs?" <i>Infect. Control Hosp. Epidemiol.</i> 20(6): 408-411.
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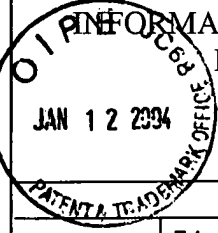
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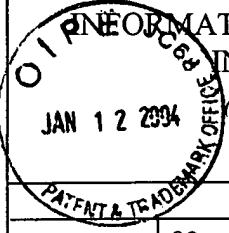
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 <p>INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)</p>		Applicant Marco CAVALERI et al.	
		Filing Date November 14, 2003	Group Art Unit Not Yet Assigned
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	74.	Fridkin, S.K. et al. (2003). "Epidemiological and Microbiological Characterization of Infections Caused by Staphylococcus Aureus with Reduced Susceptibility to Vancomycin, United States, 1997-2001," <i>Clinical Infectious Diseases</i> 2003 36: 429-439.	
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	80.	Goldstein, D. and Halsey, K. (March 12, 2002). "Versicor Announces Start of Phase II Study of Once-Weekly Dalbavancin for Bloodstream Infections." Press Release, three pages.	
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	82.	Goldstein, D. et al. (May 22, 2001). "Versicor Begins Phase II Trial of Dalbavancin, Its Noval Glycopeptide Antibiotic." Press Release, three pages.	
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	89.	Goldstein, E.J.C. et al. (2003). "In Vitro Activities of Dalbavancin and Nine Comparator Agents against Anaerobic Gram-Positive Species and Corynebacteria," <i>Antimicrob. Agents and Chemother.</i> 47(6): 1968-1971.	
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	101.	Jabes, D. et al. (2001). "Efficacy of a Single Dalbavancin (DA) Dose Compared with Multiple Vancomycin (VA) Doses against MRSA in the Rat Pouch Model of Infection," <i>41st. ICAAC Abstracts</i> , Chicago, IL. September 22 - 25, 2001. Abstract No. B-1654, pg. 68.	
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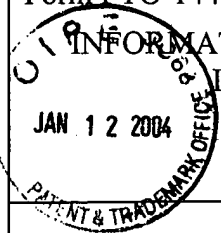
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